



City Council

City Council Chambers ♦ 524 West Stephenson Street, 3rd Floor ♦ Freeport, IL 61032

MINUTES

REGULAR MEETING

MONDAY, JUNE 20, 2016 AT 6:00 P.M.

CALL TO ORDER

The regular meeting of the Freeport, Illinois, City Council was called to order in council chambers by Mayor James L. Gitz with a quorum being present at 6:00 p.m. on Monday, June 20, 2016.

ROLL CALL

Present on roll call: Mayor Gitz and council members Tom Klemm, Peter McClanathan, Jodi Miller, Patrick Busker, Sally Brashaw, Michael Koester and Andrew Chesney (7). Alderperson Ross was absent. (note – see notation for Alderperson Ross to enter at 6:30 p.m. Michael Phillips, Esq. as Interim Corporation Counsel was present.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Alderperson Klemm.

APPROVAL OF AGENDA

Mayor Gitz stated he would like for City Engineer Gallagher to make introduction of the summer interns and for Ms. Riordan to make a brief presentation. Alderperson Chesney requested to move forward on the agenda item number 13 for the Small Business Collaborative to after the consent agenda. Mayor Gitz requested to move forward immediately following that resolution the resolution for item number 13 and 14. Alderperson Brashaw moved for approval of the agenda as amended, seconded by Alderperson Klemm. Motion prevailed by voice vote without dissent.

MINUTES

The minutes from the regular council meeting held on June 6, 2016 and the special council meeting held on May 31, 2016 were presented for approval. Alderperson Koester moved for their approval, seconded by Alderperson Busker. Motion prevailed by voice vote without dissent.

PUBLIC COMMENTS – AGENDA ITEMS

Lee Butler, 1550 Woodside Drive spoke in support of moving forward with the Tutty's Crossing Boat Launch. He provided information on the Pecatonica River Trail that is used for recreational canoe and kayak travel and noted that it will be a tourist draw for downtown Freeport.

City Engineer Shaun Gallagher introduced two summer interns both being Freeport High School graduates. Nate Skarlupka and David Wichman are both studying engineering and have been hired to assist with the Street Project Improvement inspections and Phase B Water Main inspections by working with the City Engineer and GIS Specialist. They both thanked the City for the opportunity to summer intern in engineering.

CONSENT AGENDA

The following items were presented on the Consent Agenda in the council packet and Mayor Gitz read the listed items into the record: [Consent Agenda PDF](#)

A. Approval to Receive and Place on File:

- 1) City of Freeport 2016 Water Quality Report
- 2) Fire Department Report on Activities – May 2016

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- 3) Police Department Report on Activities – May 2016
- 4) Building Permit Report including Electrical, HVAC, Plumbing and Signs for May 2016
- 5) City Treasurer Report on Cash and Fund Balances for period ended May 31, 2016
- 6) City Treasurer Monthly Investment Report to City Council for period May 31, 2016
- B. Approval of Resolution R-2016-34: Resolution To Request Temporary Closure of Streets for Cruise Night August 13, 2016
- C. Approval of Motor Fuel Tax Fund (Registers #0083) --- \$38,532.52
- D. Approval of Water & Sewer Bills Payable (Registers #562, 563, 567, 570) --- \$1,208,387.04
- E. Approval of Payroll for pay period ending June 11, 2016 --- \$408,792.56
- F. Approval of Finance Bills Payable (Registers #564, 565, 566, 568, 569, 571, TBA) -- \$607,364.11

Aldersperson Klemm moved for approval of the consent agenda, seconded by Aldersperson McClanathan.

Aldersperson McClanathan stated he did not want to remove anything from the Consent Agenda and asked if there would be further information on the Water Quality report during department head report and whether it is posted on the website.

The motion to approve the Consent Agenda prevailed by a roll call vote of;
Yeas: Klemm, McClanathan, Miller, Busker, Brashaw, Koester and Chesney (7)
Absent: Ross
Nays: none
The consent agenda items were approved.

City Clerk Zuravel noted the Water Quality Report has been published on the Water and Sewer Department page of the website.

Presentation By Outside Legal Counsel For The Tax Increment Financing District

Mary Riordan, Outside Legal Counsel for the TIF provided a brief overview of her role representing the City in terms of its redevelopment efforts. She stated there have been some issues and questions about invoicing in the TIF and, in particular, with NIDA. She stated today there were discussions with NIDA director, Dave Young, and the NIDA Board Treasurer, Mary Hartman, and most of the issues were worked out. A concern that she has with invoicing and NIDA is what happened last year. What happened was the City received two identical invoices for each quarter. She explained in the discussion today we agreed that they really were not accurate. She explained since it is public funds, we also agreed that they ought to be accurate before the City pays. She stated they are working to come up with a method that is not overly taxing record keeping and yet is accurate so that when someone says to the City what did you do with the TIF money, we can explain what the TIF money was used to pay for. She explained that if someone requests from NIDA what you did with the TIF money they can state what they were paid to do in the TIF districts. She stated this is all required by State Statutes. She stated she thinks they resolved those issues and the key is for the City to be able to say this is what the money was used for in the TIF and this is what we received in exchange for it. She stated tomorrow she will provide to Mr. Young some categories and use the statutory language and Dave will make a good faith effort to apportion their work in terms of the Statute. She asked Mr. Young to confirm the accuracy of the conversation. Mr. Young stated that is correct.

Aldersperson Chesney asked Ms. Riordan how much she has invoiced the City or how much she will be invoicing the City of Freeport for fees. Ms. Riordan stated the fee invoicing is done by her office and she does not personally review the invoices. Aldersperson Chesney asked if there are outstanding invoices from Ms. Riordan's office. Mayor Gitz stated we discussed invoices today and her office will be forwarding the invoices so we know

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what we have outstanding invoices for all the TIF Districts. Alderperson Chesney asked Ms. Riordan if it is standard practice for 90 to 100 days to go by without invoicing and Ms. Riordan replied she hopes not. The next three items were moved forward on the council agenda (item 13, 14);

RESOLUTION R-2016-37:

Resolution To Approve Memorandum of Understanding For The Small Business Collaborative of Freeport and Stephenson County

Interim Corporation Counsel Phillips stated he reviewed the resolution and agreement and upon some amendments it has been drafted as presented with the attachments being about forty pages long. He worked to bring it in compliance with the City's purchasing policy and the State Statutes. Attorney Phillips stated the attachments have now been included with the resolution and the proposal. He explained the memorandum of understanding will approve the Small Business Collaborative, it acknowledges the organizing documents from the SBC, and approves the Downtown TIF City Centre Plan which is related to the matter. He stated the memorandum of understanding is attached to the resolution and this expressively approves Exhibit A and authorizes City officials to sign for the City. Attorney Phillips noted the other partners in this memorandum of understanding are the City of Freeport, NIDA, the Chamber of Commerce, Freeport Downtown Development and the Freeport-Stephenson County Visitors Bureau to jointly operate this known as the Small Business Collaborative under which the City would pay one half of the cost of the salary of the Executive Director of the Small Business Collaborative and one half of his/her cost of benefits, noting this will be invoiced by NIDA on a monthly basis. This person will be employed by NIDA and used for the SBC purposes. He stated the other four entities would be providing the other half of the salary and benefits. NIDA would be the lead agency in this collaborative and would further provide the office or most of the office equipment and supplies to operate and they would work on redevelopment efforts in the downtown area. There are certain restrictions of the Director of the SBC for the duties in the Downtown TIF to develop new projects in the Downtown TIF area.

Alderperson McClanathan spoke about the discussion Mr. Phillips and Mr. Young had in regard to the language and asked if both parties are comfortable with the language that is incorporated in the document presented this evening. He also asked Mr. Young if he knows of any issues with the other parties to the MOU agreement and can we move forward on this.

Attorney Phillips stated he is overall satisfied with the direction of the resolution although he would prefer it to be more traditional contract language but he can live with the MOU because it is only going to last for a year to begin with; although there is a preliminary three year commitment but legally it is separate to the City's Appropriation Ordinance but it is in the appropriate form.

Mr. Young stated from the perspective of NIDA, Attorney Phillips has been very responsive to the changes we have suggested in terms of the executive team and they have identified the economic partners. He stated we have included a non-discrimination clause and this is the first time he has seen one as part of the contract and also the reference to the Illinois Administrative Code. He noted their attorney, Dan Fishburn, is continuing to review but they will go with it as is.

The Resolution R-2016-37 provided in the council packet included the following:

WHEREAS, on September 4, 1994, the City Council of the City of Freeport, in conformance with the requirements of Illinois Increment Allocation Redevelopment Act (65 ILCS 5/74.4-1) ("Act"), created a tax increment finance ("TIF") district for its downtown area (alternately referred to as the "Downtown TIF" or "Downtown TIF Area"); and

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WHEREAS, as required by the Act, the City authorized the preparation of and held hearings on a redevelopment plan and project, which was prepared by Kane, McKenna, entitled, "City of Freeport Tax Increment Redevelopment Area (TIF) Downtown Area TIF Plan and Redevelopment Project" ("Plan"); the Plan set forth the goals of the Downtown TIF District in accordance with the Act and was adopted by the City on September 4, 1994, by Ordinance No. 1994-64; and

WHEREAS, NIDA has drafted and presented to this City Council a draft of a Memorandum of Understanding among the City of Freeport, NIDA, the Freeport Area Chamber of Commerce, the Freeport Downtown Development Foundation and the Freeport/Stephenson County Convention and Visitors Bureau (a true, correct and complete copy of which is marked as "Exhibit A," attached hereto and incorporated by reference as if fully set forth herein) which this City Council and City staff have reviewed; and

WHEREAS, the City has determined that in order to further the goals set forth in the Plan, to work with NIDA in the execution of a Small Business Collaborative in cooperation with the community's economic development partners, as presented in the Small Business Collaborative Organizing Statement (a true, correct and complete copy of which is marked as "Exhibit B," attached hereto and incorporated by reference as if fully set forth herein (also known as the "Small Business Collaborative of Freeport and Stephenson County Organizing Statement"); and

WHEREAS, on April 18, 2016 this City Council passed City Resolution R-2016-23 which approved the City Centre Plan, (a true, correct and complete copy of which is marked as "Exhibit C," attached hereto and incorporated by reference as if fully set forth herein); and

WHEREAS, the City and NIDA have been working together and have made considerable progress on the City Centre Initiative and as a result have agreed that the execution of a Small Business Collaborative is a key component in the overall execution of the City Centre Freeport 2016; and

WHEREAS, this City Council finds that its approval of Exhibit A and Exhibit C hereto are in the best interests of the health, safety, morals and general welfare of the residents of the City of Freeport.

The agreement included the following:

PURPOSE

The Small Business Collaborative of Freeport & Stephenson County (SBC) is a collaborative partnership between the city of Freeport and the community's four economic development partners - Northwest Illinois Development Alliance (NIDA); the Freeport Area Chamber of Commerce (Chamber); the Freeport Downtown Development Foundation (FDDF); and the Freeport/Stephenson County Convention and Visitors Bureau (CVB) (the Participating Entities).

The Small Business Collaborative of Freeport and Stephenson County (SBC) is a collaborative effort and resource whose mission is to champion, support, and facilitate the retention, expansion, growth and recruitment of small business opportunities in Freeport and in Stephenson County.

ORGANIZATION

NIDA shall be the lead and employing agency of the SBC;

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Though the legal and fiduciary responsibility and day-to-day oversight of the SBC rests with NIDA, the strategic direction, development of the annual action plan, annual budget, and general oversight of the initiative shall be the responsibility of the Participating Entities;

The SBC's Participating Entities shall meet on a regular basis to be determined by the members, but no less than quarterly;

Each Participating Entity shall be entitled to one vote; all business shall be conducted by consensus.

A majority of the Participating Entities shall constitute a quorum. No business shall be transacted at meeting in the absence of a quorum;

- The Participating Entities shall establish their operating procedures and rules.
- In the first year, 50% of the Small Business Collaborative Director's (SBCD's) time (2-3 days/week) shall be spent on developing projects located within the borders of the downtown TIF. The SBCD shall coordinate his/her business contact efforts with the City Centre Freeport's (hereinafter referred to as "CCF" or "CCF's") "Building Condition/Utility Survey Efforts" and the Northwestern Illinois Community Development Corporation's and the City of Freeport' Revolving Loan Fund's efforts to develop the CCF's gap financing tools. If CCF gains traction and puts a Participation Loan Revolving Loan Fund in place in 2017, the SBCD shall become that initiative's prime outreach person;
- 30% (1-2 days/week) of the Small Business Collaborative Director's time shall be spent in the other TIF's retail areas;
- 20% (1 day/week) shall be spent in the outlying communities working with mayors to develop retail/small business opportunities; and
- Based on results of 1st year's calls, the Participating Entities Executive Team shall recommend either to continue funding the City's share of the SBC out of the downtown TIF or to split the City's share amongst a number of TIFs.

FINANCES AND FUNDING

- The four economic development partners (other than the City of Freeport) shall collectively invest \$25,000 a year, for three years, to fund the SBC; their investment will be matched annually by the City of Freeport's \$25,000 from various Tax Increment Finance Districts; subject to annual appropriation by the City Council and the SBC's performance. NIDA shall submit itemized Invoices to the City on a monthly basis for the above-described City's payments to the SBC. The City's annual payment shall be utilized only to reimburse NIDA for the payment of one-half of the SBCD's salary and costs of benefits. The City reserves the right to terminate or reduce the payment under this Resolution if for any reason beyond its control, insufficient revenues are available from the City's appropriated funding mechanism(s) to pay for the services to be provided by the SBC hereunder;
- The four economic development partner's share of the annual investment (other than the City of Freeport) is:
 - \$10,0000 - NIDA
 - \$5,000 - Chamber
 - \$5,000 - FDDF
 - \$5,000 – CVB;
- The fiscal year of the SBC shall begin on May 1st and shall end on the immediately following April 30th;
- The funds for the SBC shall be held by the lead agency, NIDA, in a Restricted Account, separate from NIDA's Unrestricted Funds;
- The four economic development partners (other than the City) shall provide their matching funds to the lead agency, NIDA, no later than June 1 of each year that this Memorandum of Understanding is or remains in effect.
- As appropriate, funds from other businesses and organizations may be solicited to assist in funding the activities of the SBC;

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- An annual budget shall be developed by the Small Business Collaborative Director (SBCD), reviewed and approved by the Participating Entities and recommended to the NIDA Board of Directors for approval;
- NIDA shall provide quarterly financial reports to the Participating Entities;
- The renewal of the financial commitment of the four economic development partners (other than the City) shall be reviewed annually; if there is an insufficient financial commitment to fund the continued operation of the SBC, NIDA may recommend to the Participating Entities that the operation of the SBC be discontinued;
- NIDA and FACC shall share the copying, phone; internet costs associated with the new position;
- NIDA shall provide a cubicle, computer and work station; the SBCD will be eligible to receive NIDA's benefits; and
- The SBCD shall be administratively self-supporting;

AUTHORITY AND DUTIES

The Participating Entities shall have the following powers and duties:

- General management of the organization;
- Develop and recommend an annual plan of work and budget to the NIDA Board
- NIDA's Board shall hire the SBCD, who will be under the direct supervision of NIDA; however, the Participating Entities will solicit and vet applicants and recommend who to hire, and complete the position's annual performance evaluation;
- The SBCD shall work with the Participating Entities to prepare quarterly reports to the Freeport City Council on the activities of the SBC. The designated representative of the SBC shall present these reports to the City Council; each of the economic development partners (other than the City) is responsible for reporting to their board; and
- Other duties as necessary to carry out the purpose of the SBC.

LENGTH OF AGREEMENT

- This Memorandum shall be in effect for one year beginning on the date of signature by the last of the Parties to sign;
- The Memorandum shall renew for subsequent periods of one year each only upon the written consent of all of the Parties hereto; and
- The SBC may be dissolved by an affirmative vote of three (3) of the five (5) voting members.

CERTIFICATION OF ELIGIBILITY TO CONTRACT

By signing this Agreement, each party hereto certifies that it is not barred from contracting with any unit of State or local government as a result of a violation of either Section 33E-3 or 33E-4 of this Article 33E of the Illinois Criminal Code of 2012 (codified as 720 ILCS 5/33E-3 or 33E-4).

NON-DISCRIMINATION

In performing any of the actions allowed or required under this MOU, each of the parties hereto shall comply with any and all Federal and Illinois statutes, rules and regulations and any and all ordinances or regulations adopted by each party hereto, including those now or hereafter adopted. Any violation of said statutes, ordinances, rules or regulations by any party hereto shall entitle the other parties hereto to terminate this MOU upon fourteen (14) days written termination to each of the other Parties. Prior to exercising this right of termination the party shall notify in writing and consult with each of the other parties in an effort to resolve the dispute. Each Party hereto shall fully comply with the provisions of Section 750. Appendix A of Part 750 of Title 44 of the Illinois Administrative Code (a true, correct and

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complete copy of which is marked as "Appendix A," attached hereto and incorporated by reference as if fully set forth herein).

The 2016 Proposed Budget contained in Exhibit C is as follows:

Gap financing tool box	\$25,000
Adaptive reuse legislation package	\$15,000
Downtown Utility & Technology Analysis	\$20,000
Downtown Building Condition Analysis	\$25,000
Small Business Development Collaborative	\$25,000
Arts & Cultural Corridor Streetscape Initiative	<u>\$10,000</u>
Total:	\$120,000

Aldersperson McClanathan moved for approval of Resolution R-2016-37 as presented, seconded by Aldersperson Chesney. Motion prevailed by a roll call vote of;

Yeas: Klemm, McClanathan, Miller, Busker, Brashaw, and Chesney (6)

Absent: Ross

Nays: Koester (1)

Resolution R-2016-37 was adopted.

RESOLUTION R-2016-38:

Resolution To Approve the Use of Tax Increment From The Downtown Redevelopment Project Area For The Schematic Design of a Civic Plaza In the Freeport Art Museum In the Downtown Freeport

Aldersperson McClanathan asked if some of the language from Resolution R-2016-37 has been incorporated into this to Attorney Phillips satisfaction. Attorney Phillips stated this resolution would benefit from more time because he concentrated on the MOU and he was out of town for a seminar and had six items to review of this packet.

Aldersperson Ross entered council chambers bringing the number of members present to eight (8).

Aldersperson Chesney made a motion to refer this item to the next City Council meeting, seconded by Aldersperson Busker. Motion prevailed by voice vote without dissent.

Mayor Gitz requested leave of council to present Resolution 2016-36 (Item #12) at this time due to Airport Commission members being present. Leave was granted by the council.

RESOLUTION R-2016-36:

Resolution To Authorize Consultant Services At Albertus Airport for Architectural/Engineering, Planning and Special Services for Rehabilitation of Runway 6/24

Public Works Director Tom Dole referred to a memorandum contained in the council packet from Airport Commission Chairperson, Shelly Griswold, dated June 17, 2016 explaining the resolution to be considered is for an engineering agreement with Crawford, Murphy & Tilly for the Runway 6/24 Rehabilitation Project.

Director Dole explained this project is a mandatory project because of the condition of the runway. The City's share of the project is 5% of the total project and this contract is for a not to exceed value of \$130,000.

The memo provided that the Illinois Department of Transportation (IDOT) and Federal Aviation Administration (FAA) has given this to be the number one priority for Albertus Airport. The City is required to maintain the runways in a state of good repair in order to keep the airport in operation and meet the City's obligations under

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funding agreements with IDOT and the FAA. The City's portion of this project is 5% of the total cost of \$2,500,000, or \$125,000. Of course, CMT's engineering work is just a small portion of the overall project cost. Ms. Griswold stated the City Council has already pre-selected Crawford, Murphy & Tilly by previous resolution for this project and it is a high priority and in fact it is a mandatory project for the Albertus Airport. Ms. Griswold recommended as Airport Commission Chairperson the council's approval of this resolution in order that the project may proceed as planned.

Mayor Gitz stated there is a listing of projects known as TIPS which are capital improvement projects required by IDOT and this has a July bid letting. The airport rehab has been in discussion for several years and they are now ready to move on it and he stated IDOT said this has to be done because if your runway is not in proper condition then we aren't going to do anything else either. CMT has been the engineering consultants for the airport for over a decade and this will give them the green light to go ahead and finish the work on the preliminary design. Mayor Gitz requested the Airport Manager to the podium.

Mr. Darrell Janssen stated this is a needed project. He stated the City has in the past accepted dollars from the Federal Aviation grant money for the runway to be built so that agreement says that in order to accept Federal Grant money you will also maintain it. We are at that point that we need to make repairs on it for safety reasons and if we don't accept the grant dollars to maintain it the City would be on the hook for the full amount because they have to maintain it. He stated there have been repairs made on the cracks but they are at the point now that it needs an overlay project.

Aldersperson Brashaw stated she understands this is a highly specialized project and asked whether they would be able to go out for bids for the engineering firm. Mr. Janssen stated the engineering firm is highly specialized. Every five years we approve the engineering firm and for that it was sent out for bids. CMT was chosen at that time. This project was on the list at that time that CMT was chosen as the project engineer in August of 2015. Mr. Janssen noted that CMT has many connections with the State of Illinois and we know that the paperwork will be done properly and we won't have problems that the State will come back on us for.

Aldersperson Klemm provided information on attending downstate transportation meetings with the meetings with IDOT and CMT. He stated this is a project that has a very low match to the City in comparison to the overall cost of the project. Mr. Janssen stated the cost calculated is the engineer's estimate number and once they go out for bids it could be lower than that.

Aldersperson Koester stated that per the pilots he has spoken to this is a needed project. He asked when the project will start and how long the runway will be closed.

Mr. Janssen stated this will be on the July 29th bid letting so the project could start as early as October. He stated he talked to them and that might not happen until they get the Federal to release the money in order for the State to pay it out so they might not be able to do it in the fall. It is likely it could start in the spring 2017 first thing. Mr. Janssen stated the runway is worked on in stages in order to be able to get people in and out of the airport.

Aldersperson Brashaw asked about the City's share of the cost at 5%. Mr. Janssen explained that amount is 5% share of the total project and the way it is written with the State is that those costs are reimbursable through the project so if the City pays the "not to exceed amount" that is the City's share of the 5% of the total cost of the project.

Aldersperson Koester asked if the grass runways will be affected by the project. Mr. Janssen stated that at times the grass runway will have a dump truck on it and there may be times that they will have to close a runway but they would have it so both would not be closed at the same time, noting that will be a very short period of time.

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Aldersperson Brashaw moved for approval of Resolution R-2016-36 as presented, seconded by Aldersperson Koester. Motion prevailed by a roll call vote of;
Yeas: Klemm, McClanathan, Ross, Miller, Busker, Brashaw, Koester and Chesney (8)
Nays: none
Resolution R-2016-36 was adopted.

Mayor Gitz stated we are now on item five of the agenda the Public Hearing for the Appropriation Ordinance.

PUBLIC HEARING

The following was read into the record: "Notice of a public hearing for Proposed Appropriation Ordinance FY 2016-2017 for the City of Freeport, Illinois - The City of Freeport will conduct a public hearing on its Appropriation Ordinance for Fiscal Year 2016-2017. This hearing will be held on Monday, June 20, 2016 at 6:00 p.m., or as soon thereafter as the agenda permits, in City Council Chambers, City Hall, 524 West Stephenson Street, Freeport, Illinois. An electronic copy of Ordinance #2016-36, Appropriation Ordinance Fiscal Year 2016-2017 for the City of Freeport, Illinois, is available on the city website under City Council Calendar of Meetings and the Finance Department page. A paper copy is available for public inspection at the City Clerk's Office during regular business hours. Anyone wishing to express comments or concerns should attend the public hearing or submit a written comment to the Mayor's Office, City of Freeport, 524 West Stephenson Street, Freeport, Illinois prior to the public hearing. (Ordinance provided in item #7 below)."

At 6:40 p.m., Mayor Gitz opened the Public Hearing.

Mayor Gitz asked if written comments had been submitted. City Clerk Zuravel stated there were no comments submitted to her office.

Mayor Gitz requested comments from the public on the Appropriation Ordinance. There were no comments.

Mayor Gitz requested comments from council members. There were no comments.

Mayor Gitz stated the Appropriation Ordinance has been available in the clerk's office and on the City of Freeport website. City Clerk Zuravel stated it was placed two places on the website under Recent News and Finance page.

At 6:43 p.m., Mayor Gitz closed the public hearing on the Appropriation Ordinance.

Mayor Gitz noted there is a sign in sheet being passed around and asked those present to sign on the sheet.

ORDINANCES -- SECOND READING

2nd READING OF ORDINANCE #2016-34:

An Ordinance to Ascertain the Prevailing Rate of Wages for Laborers, Workmen and Mechanics Employed In Public Works of the City of Freeport, Illinois

The first reading was held on June 6, 2016. A motion to adopt was given by Aldersperson Klemm, seconded by Aldersperson Miller and the ordinance was automatically laid over to tonight's meeting.

Upon the second reading held this evening, the motion for passage prevailed by a roll call vote of;
Yeas: Klemm, McClanathan, Ross, Miller, Busker, Brashaw, Koester and Chesney (8)
Nays: none
Ordinance #2016-34 passed.

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2nd READING OF ORDINANCE #2016-36:

Appropriation Ordinance, Fiscal Year 2016-2017 For the City of Freeport, Illinois (*Exhibit A as of 06/03/2016*)

The first reading was held on June 6, 2016. A motion to adopt was given by Alderperson Koester, seconded by Alderperson Klemm and the ordinance was automatically laid over to tonight's meeting.

The following documents were made available on the City of Freeport website including;

- [Appropriation Ordinance Exhibit A June 16, 2016](#)
- [Budget Amendments chart dated June 16, 2016](#)
- [Fund #32 Fire Capital Improvement Five Year Capital Plan](#)
- [General Fund June 16, 2016](#)
- [All Other Funds Spending Plan Budget June 16, 2016](#)

Mayor Gitz stated at the last Committee of the Whole there was extensive discussion on the Fire Improvement Fund and this is placed in the packet as a separate ordinance. He explained by direction of the council an ordinance has been drafted to change the formula in the Fire Improvement Fund relating to both the balance by taking \$75,000 from the reserves and to change the percentage for the next few years to 60%. He stated this will be transferred to the general fund and then in the budget documents we have made a provision to include a firefighter.

Finance Director Guary Bernadelle referred to the budget documents and stated we have transferred \$75,000 to pay for a firefighter and per Chief Miller he asked to move the firefighter turnout gear to be delayed to FY 2019 in the amount of \$115,000 (see below exhibit provided for Fund 32. He also noted a firefighter was added back in.

City of Freeport, IL
32 Fire Improvement Fund
5 Year Capital Plan (2YRS @ 60% AND 3 YRS @ 40%)
 Thursday, June 16, 2016

	Fiscal Year				
	2017	2018	2019	2020	2021
Beginning Balance	346,295.00	86,071.00	40,819.00	81,627.00	58,468.00
Ambulance Revenue	675,000.00	685,000.00	700,000.00	715,000.00	725,000.00
Interest	1,000.00	500.00	400.00	400.00	400.00
Plan Review	10,000.00	10,000.00	10,000.00	10,000.00	10,000.00
Total Cash	1,032,295.00	781,571.00	751,219.00	807,027.00	793,868.00
Expenditures:					
Bank Service Charges	350.00	350.00	350.00	350.00	350.00
Billing Services	33,750.00	34,250.00	35,000.00	35,750.00	36,250.00
Outdoor warning service contracts	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00
Vehicle replacement		30,000.00	-	265,000.00	
Parking lot replacement station #1		-	-		
Building maintenance					
Station 1 roof	44,000.00				
Station 2 concrete	10,000.00				
Vehicle maintenance	30,000.00	30,000.00			
MDT (Radio components)	40,000.00	-	-		
Refurbish ladder3051		-	-		
Equipment replacement	-	-	-		
Command Vehicle	36,000.00	-	-		
Portable Radios Replacement	40,000.00	-	-		
Firefighter Turnout Gear	-		115,000.00		
Miscellaneous Equipment		20,000.00	20,000.00		
Transfer to Grant Fund	12,420.00	10,000.00	10,000.00	10,000.00	10,000.00
Transfer to Corp(60% 2 YRS - 40% 3YRS)	405,000.00	411,000.00	280,000.00	286,000.00	290,000.00
Transfer to Corp 75K to finance Firefighter	75,000.00				
Transfer to Debt Service Fund	213,704.00	199,152.00	203,242.00	145,459.00	87,675.00
Total Expenditures	946,224.00	740,752.00	669,592.00	748,559.00	430,275.00
Ending Cash Balance	86,071.00	40,819.00	81,627.00	58,468.00	363,593.00

Note: Transferred 75K to Corp to finance a Firefighter. Moved Firefighter Turnout Gear from FY 2018 to FY 2019.

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Aldersperson Chesney requested clarification on the ending cash balances for the Fire Capital Improvement Fund. Director Bernadelle stated the ending cash balance for FY 2016-2017 will be \$86,071, for FY 2018 it will be \$40,819, for FY 2019 it will be \$81,627, for FY 2020 it will be \$58,468, and for FY 2021 it will be \$363,593. Mayor Gitz asked whether the fund balances quoted include the Fire Chief's expected expenditures for equipment if they are made. Director Bernadelle stated that is correct.

Battalion Chief Blackburn stated that Chief Miller met with Director Bernadelle to finalize the prioritization of the list and there is room to make changes if it comes down to it they could delay some of the purchases to maintain a positive cash balance on the account.

Mayor Gitz stated that the question from the council on IMRF about reducing the transfer to only the amount necessary for the onetime payment from the IMRF payment owed from 2009. Aldersperson McClanathan asked if that will be transferred from the General Fund reserves. Mayor Gitz stated yes.

Aldersperson Koester asked if the amount was appropriated and whether the payment can be delayed until towards the end of the year. Mayor Gitz stated the \$334,000 payment can be made at any time but consideration has to be given to the balance climbing unless payments are made. He stated our rate of return will be higher if the full amount is paid off. He stated we can surely make the payment towards the end of the year to retain that amount in the cash reserves. The amount owed at this time is \$334,000.

Director Bernadelle provided a listing of proposed changes to the Appropriation Ordinance as provided by the administration.

Aldersperson McClanathan confirmed that the changes brought forth by the administration account for the amount taken out of reserves would be the amount for the IMRF payment. Mayor Gitz stated that is correct.

Aldersperson Brashaw confirmed the IMRF payment amount had been \$290,000 and now that number is \$334,871 and asked if that is the amount used in the calculations. Mayor Gitz stated that is the payoff amount in the budget.

Mayor Gitz stated given the level of reserves and given what we have had in the way of a surplus from a year ago, taking \$70,000 out of the budget, if we want to add other things back in then it is a question of policy. That is not a great idea to further reduce that just so we can build a balance. The balance is \$4.5 million and it is approaching 25% of the total budget which is a figure that is customary. We need to be conscious of what it takes to provide services. Currently we are sacrificing a Public Works person. The council has asked how we will absorb that into the budget and the document provided by Director Bernadelle is the answer to that. The council also asked what it would take to add back in a firefighter and an additional police officer. The Chief will tell you since we are already in the fiscal year we are budgeting seven months for an officer because that is the soonest we can get someone on board due to the eligibility list and the steps to create that list. This is figured on that basis.

Mayor Gitz requested Director Bernadelle to review the list.

Director Bernadelle provided a written explanation of the changes which included:

- Reduced transfer fund by \$70,129 (\$400,000-334,871)
- Add Police Office – seven months (\$42,024.00)
- Adjusted Firefighter by five months - was on last appropriation for a full year (18,098)
- Reduced Mayor's budget printing by \$2,000 and the travel line item by \$1,500
- Reduce Finance budget by \$10,000

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- Reduced Street Department snow removal by \$10,000 and equipment supplies by \$5,000
- Reduced Police Officer overtime by \$5,000
- Reduced Police Department fuel by \$5,800
- Added Department Annual Report in interdepartmental by \$3,000 and Human Resources \$350 for Department of Labor posters.

Director Bernadelle stated by doing the above stated changes the budget comes out to the positive in the amount of \$1,207.55. He provided General Fund FY 2017 Budget Summary showing; Revenues of \$21,595,163.45 and Expenses of \$21,595,163.45. On the summary report it provided contingencies in the amount of \$728,550.00, and the Appropriation of \$22,323,713.45.

Mayor Gitz stated the above stated amendments to the budget are the suggestions by the Finance Director to accommodate the reduction in the amount coming out of reserves and to also accommodate a police officer.

Aldersperson Chesney asked Mayor Gitz if the funds are placed in the budget for an additional officer whether he will give Chief Barkalow the green light to hire that person. Mayor Gitz stated absolutely.

Chief of Police Barkalow stated we worked very hard to make the numbers work and the next academy will start September 2016.

Aldersperson Klemm asked about the hot spot cameras. Chief Barkalow stated we are still at two cameras in the budget. Aldersperson Klemm asked how many you could really use. Chief Barkalow stated they are used to reduce crime and they do change behavior in a particular area. They are overt cameras and they are not hidden. If he had zero restraints on a budget he thinks he would like to have them in a lot of neighborhoods, in the downtown area, in multiple different areas but it is hard to put a number on it. He noted they do not replace a police officer.

Aldersperson McClanathan stated in addition to what was passed out tonight by the administration he has a list he provided to the council from a few aldermen of potential cuts for consideration. There are two documents that the majority of the council has not seen until 6:00 pm so what is the time frame that we are dealing with to address all of those issues.

Mayor Gitz stated we have to pass an appropriation in the first quarter of the fiscal year. It has to be filed with the County by July 31st.

Aldersperson McClanathan stated that the version in front of the council does not have either of those changes incorporated into it so what time frame would it take to get a clear version in the hands of everyone for discussion purposes. Mayor Gitz stated we can have a clean version at the next meeting of the City Council which is the first meeting of July. Mayor Gitz cautioned the council against making floor amendments because we have to adjust not only the spending plan but amending the Appropriation contingency with totals. Each change triggers about three to four other changes so your request for a clean version would be our preference as well.

Aldersperson Koester stated he would like additional time to review this because he thinks we can find the money to put that Street Department worker back in the budget and still have a balanced budget and with a couple lines he came up with \$48,000.

Aldersperson Koester made a motion to layover the Appropriation Ordinance, seconded by Aldersperson Busker.

Aldersperson Klemm stated he has some items that he will email out to everyone to be added in as well so we can look at a clean sheet.

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Mayor Gitz stated he will be happy to go over with the staff all of the modifications but he strongly urges the council to resist the temptation to go line by line and cut arbitrarily or to cut line items without a full investigation of what is in that line item. A far more effective use of staff is to say what is it that you would like to have more detail on and what is it that we would like to do. If you want to add another person then task us with coming up with the most workable way to cut line items to keep other things intact to achieve it. That is a good use of the professionals that you have hired to do this.

Mayor Gitz stated we feel like we are constantly working on a moving target. He asked what your key remaining issues are and what are your key remaining questions and we will get you answers to those questions. If you want to adjust the budget on the IMRF and if the police officer is a go; then tell us yes we want to do that so we can figure out what are the adjustments and line items that will do the least amount of harm to the departments in order to maintain services.

Aldersperson Koester stated if the savings are there he would like to see Mr. Dole get his one person back and the general consensus of the council is to add in the police officer if we can find the money for it.

Aldersperson Chesney stated he does not think it is the role of the City Council to task the administration with every budget discussion that we want to have. It is incumbent on us to decide the "what" and you decide the "how". He stated that our constituents expect us to go line item by line item through this budget but he does not think that they expect us to take the way out and say we want to get here and make it happen. He stated he and Alderman McClanathan went line item by line item through the budget over and over again and it will yield some savings. He takes the exception that we have to come back to you every time we want to do something Mr. Mayor that is not the role of the City government. There are a number of things we can do to address the financial concerns. He stated he does not see any tax relief. He sees what we are doing is to increase personnel in light of the population decreasing. He stated this is largely a status quo budget and there are so many examples of this not being a bare bones budget just by how we buy our cell phones and computers. He stated we need a committee structure through the budget documents. He spoke about the timing of receipt of documents and requested 24 hours to digest a document.

Mayor Gitz stated there is not a consistency and the staff and I are in genuine quandary because you say we are adding personnel. We recommended the personnel that are retiring that they ought not to be replaced if you want to arrive at certain bottom lines. The council has changed that and that is their prerogative. He stated frankly he does not care if you add personnel or if you subtract personnel but we are getting mixed signals from meeting to meeting. In one meeting we are not supposed to touch the Fire Capital Improvement reserves so we draft this ordinance and then the next meeting, we are taking \$75,000 out of reserves. He stated what he is looking for is continuity in where we are going with this. Some of these changes will not work. If you are going to arbitration in the labor contract we have to have sufficient money to pay for it. If we are not going to pay for it then we do not go to arbitration. We are responding to the questions that are raised and then there are a new set of questions but sometimes the questions are different from one meeting to another and we are trying to center in on finalizing this ordinance. He asked council members what are the final issues that we need to be prepared for and respond to.

Aldersperson McClanathan stated we are on version fifteen or so and the reason you are seeing this is because we couldn't get an answer on what was in the Fire Capital Improvement Fund. Aldersperson McClanathan stated he made some recommendations and nothing was incorporated into a new version and he kept waiting for it to come out on Thursday, Saturday and now we are getting to the point of where we want to get to and it is now Monday morning and we still do not have anything so we take it upon ourselves to say what is plan b and how are we going to get there. He stated so you see some recommendations in front of you. He stated, "Will all of them be

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adopted?" That is for discussion on how we get there. He asked for a clean version and the sooner the better and that will be conducive to finalize of the appropriation in going forward.

Aldersperson Klemm stated the budget process has come a long way in the past couple of weeks and that is because we now have documents. He asked council to work to get our questions and concerns to the Mayor and the Finance Director right off the bat it would be extremely helpful and then we can look for a version when the thing comes out on our normal Thursday before the council meeting. Aldersperson Klemm referred to the list Aldersperson McClanathan provided noting he has a list as well and noticed there are a lot of similar things.

Mayor Gitz stated that there is a motion to defer the ordinance to the July 5th meeting. Aldersperson Busker stated that he seconded the motion.

Aldersperson Chesney asked for a point of clarification. He asked can we expect at the next meeting are you going to incorporate any changes, your changes, but not Aldersperson McClanathan's changes; what are we expected to see because as he understands there needs to be a motion to amend in order to adopt any changes is that correct procedurally. Mayor Gitz stated that is correct.

Mayor Gitz suggested that if there are other thoughts and considerations from council members that just like we did with Aldersperson McClanathan that we take the time to talk individually to work to find what issues remain and try to have a clean version of this with some floor amendments for consideration that are laid out and which are defined in advance of the meeting.

Mayor Gitz stated his appreciation for the work Director Bernadelle has done to clean up the spending plan and to make sure that the numbers work.

Aldersperson Chesney stated he appreciates Director Bernadelle and noted the City has an issue with tardiness.

Director Bernadelle stated he is frustrated as well and his goal is to have a document ready by Tuesday so there is time to review it before it goes out and this week he got things ten minutes before he had to be here tonight so he understands the frustration and will work to strive to be on time.

Aldersperson McClanathan requested for further clarification as to what is in the other technical services in the interdepartmental for other professional services and asked whether he can have a breakdown on that item.

The motion to layover the ordinance to the next meeting prevailed by voice vote.

ORDINANCES -- FIRST READING

1st READING OF ORDINANCE #2016-35:

An Ordinance Amending Chapter 242 Entitled "Fire Department", Section 242.53 (Fire Department Capital Fund) of the Codified Ordinances of the City of Freeport, Illinois (*version as amended June 15, 2016*)

On a motion by Aldersperson Chesney, seconded by Aldersperson Miller and approved by majority vote of the Committee of the Whole, this ordinance was redrafted and is dated June 15, 2016.

Attorney Phillips stated he was tasked at the last council meeting to amend the ordinance to transfer an additional \$75,000 from the reserves of the Fire Capital Fund. He noted that Section c) is the exception so it only amends the exception portion of the ordinance. He stated he clarified which year the change will take place. As the ordinance is written there will be a two year transfer of 60% of the income generated and an additional

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transfer for this year only a \$75,000 transfer from the reserves of the Fire Department Capital Fund to the general fund.

Chapter 242 of the Codified Ordinances as amended by this ordinance as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, ILLINOIS as follows:

Section 1. That Chapter 242 entitled "FIRE DEPARTMENT", Section 242.53 (FIRE DEPARTMENT CAPITAL FUND) is hereby amended to read as follows:

"242.53. FIRE DEPARTMENT CAPITAL FUND.

(c) Notwithstanding anything to the contrary in subsection (a) above, during Fiscal Year ~~2009/2010~~ 2016-2017 only, a sum not to exceed ~~two hundred sixty-five~~ seventy-five thousand dollars ~~(\$265,000)~~ (\$75,000) shall be transferred to the General Corporate Fund of the City. In addition to the funds transferred to the General Corporate Fund of the City by the immediately preceding sentence, during Fiscal Years 2016-2017 and 2017-2018 only, a further sum equal to sixty percent (60%) of the income generated from ambulance fees during those Fiscal Years shall be transferred to the General Corporate Fund of the City."

Aldersperson Chesney moved for approval of Ordinance #2016-35, seconded by Aldersperson Miller.

Aldersperson Koester stated his concerns about the equipment because he knows the good that has come from this fund and he understands that this transfer will benefit the Fire Department by allowing manpower to be kept in the budget so even though he is not happy he will vote in favor of this.

The ordinance was automatically laid over to the next meeting.

1st READING OF ORDINANCE #2016-37:

Special Ordinance for Variation Permit or Amendment of Codified Ordinances of Freeport, Illinois

A petition was filed by Freeport Moose Lodge #162 for the property located at 601 E. South Street, Freeport, Illinois (PIN 18-19-05-300-039). The relief sought by the documents on file: Approval of a special use permit to allow the sale of alcoholic beverages in an outdoor restaurant area in a B-3 Commercial and Wholesale Business District Zoning Classification. This ordinance was unanimously recommended to council by the Planning Commission in their meeting held on June 9, 2016 and there were no written objections filed on the petition therefore council may take final action this reading.

Community Development Director Alex Mills presented the Special Use Permit for Moose Lodge #162, 601 E. South St. He stated at the regular meeting of the City of Freeport Planning Commission on June 9, 2016, the commission unanimously recommended for approval by city council a petition submitted by Moose Lodge #162 for a Special Use Permit to allow sales of alcoholic beverages in an outdoor restaurant area. The petitioner has stated their intent to comply with the outdoor sales ordinance requirements and has worked with the Community Development Department to plan necessary fence work and installation accordingly.

Aldersperson Koester moved for approval of Ordinance #2016-37, seconded by Aldersperson Busker.

Aldersperson Miller asked about the difference of the Eagles Club's Special Use Permit with not having the deck built but in this case the fence is up but it needs to be fixed to be in compliance. Mayor Gitz explained that some

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applicants cannot afford to have a deck built if the Special Use Permit is not going to be approved so that is why the Eagles Club came with their proposed deck and will come back to the Liquor Commission when it is complete.

Aldersperson Ross asked if there would be a noise issue. Director Mills stated that noise was discussed but it was not an overriding concern. There are mostly businesses in the area and very little residential.

Director Mills explained once the fence has the changes then the Moose Lodge can bring it to the Liquor Commission and they will oversee that inspections have been made to comply with the Liquor section of the code.

Upon no further discussion the motion for passage of the ordinance prevailed by a roll call vote of;

Yeas: Klemm, McClanathan, Ross, Miller, Busker, Brashaw, Koester and Chesney (8)

Nays: none

Ordinance #2016-37 was passed.

1st READING OF ORDINANCE #2016-38:

Special Ordinance for Variation Permit or Amendment of Codified Ordinances of Freeport, Illinois

A petition was filed by Double A Market Inc. for the property located at 605-607 North West Avenue, Freeport, Illinois (PIN 18-14-30-351-007). The relief sought by the documents on file: Approval of a special use permit to allow the sale of alcoholic beverages a B3 Commercial and Wholesale Business District Zoning Classification. This ordinance was unanimously recommended to council by the Planning Commission in their meeting held on June 9, 2016 and there were no written objections filed on the petition therefore council may take final action this reading.

Community Development Director Alex Mills presented the Special Use Permit for Double A Market Inc. 605-607 N. West Ave. Director Mills provided a memorandum that stated at the regular meeting of the City of Freeport Planning Commission on June 9th, the commission unanimously recommended for approval by city council a petition submitted by Double A Market Inc. for a Special Use Permit to operate a package liquor store at 605-607 N. West Ave. This location previously housed the Salvation Army Retail Store and has since been renovated. The petitioner has stated their intent to open a package liquor store in the eastern portion of the building, which is 607 N. West Ave. The other half of the building is to remain vacant at this time.

Aldersperson Koester moved for approval of Ordinance #2016-37, seconded by Aldersperson Brashaw.

Aldersperson McClanathan stated looking at the record the commission went over the LaSalle factors and also the location. He asked if there was any discussion particular to that location because it is one of the main entrances in town and how it will look coming into the City that being one the first things you see coming into the City of Freeport. Director Mills stated yes one of the LaSalle factors is the suitability of the property for the purpose and the commission discussed it having a large lot next to the highway in terms of the suitability.

Aldersperson Koester stated he understands that and can appreciate that but if you look at the other end of town on the same highway there is another liquor store and with this being a main corridor there will be one on each end.

Aldersperson Chesney stated he received several phone calls on this with great concerns given the location is a main thoroughfare of town. He stated many of his constituents are concerned about a liquor store being placed in that corridor and it is already struggling. He has some great reservations because of it. It does not necessarily showcase Freeport the way we want it. The closing argument would be that the building sat for a long time and was condemned and it would generally begin to generate some tax revenue but his view is that the council should

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exercise some caution. Generally zoning variances we are agreeable to and he has received calls on this. He stated if you are driving into Freeport it is not the first thing that we want is a liquor store. He does understand what Alderman Koester stated about there being a liquor store on both sides although it may not necessarily be a good policy. He asked for other feedback from council on this ordinance.

Mayor Gitz stated the Planning Commission is the body that hears the evidence of fact and you are the judicial body for the purpose of influencing a decision. Mayor Gitz stated we are not entitled, nor am I as mayor, to take ex parte communications and listen to what our constituents have to say. If they have concerns they are supposed to direct that to the Planning Commission. We need to make sure that we protect our record and that we make sure we keep the comments to the factors that were discussed and conveyed at the Planning Commission. He cautioned the council to keep the conversation on what was discussed at the Planning Commission. Mayor Gitz asked Director Mills if at the Planning Commission he heard from the public any concerns about the suitability of that property at the entrance to the city and if so what the public told us.

Director Mills stated there were no public comments at the Planning Commission there was only discussion between the petitioner and the Planning Commission.

Aldersperson Brashaw stated that Director Mills stated that the building has been remodeled for occupancy and she asked if it has passed the inspections noting that the building had been condemned. Director Mills stated that it was rehabilitated to the point that both halves of the building, the entire building was rehabilitated and the eastern most portion will be used. They were granted the Certificate of Occupancy for the eastern half of the building.

Aldersperson Brashaw stated at the Public Hearing there was no dissention but was there any letters received. Director Mills stated we did not receive any letters and certified letters were sent out to all adjacent parcels. There was also a sign posted prominently at the location about the Public Hearing and a notice was published.

Aldersperson Chesney referred to item number b in the findings of fact and challenged his colleagues if a liquor store is the very first thing you want to see coming in to town. He stated we have passed a number of ordinances that have been favorable to the liquor community and perhaps this might be an opportunity to exercise a little bit of caution. He challenged that this is not the appropriate place for a liquor store and he has a background in real estate. That is not an appropriate way to market Freeport as your first impression and that is his opinion as it relates to item b in the findings of fact.

Aldersperson Koester asked if we do not approve this are they legitimate reasons. He stated he does not see a problem with this, you have taken a building that was going to fall down and had to be repaired and now you are making something useful out of it. He stated how it will look will depend on the signs that are put up. If we do not approve this because we do not want a liquor store there what are the ramifications.

Attorney Phillips stated depending on what the owner choses he can file a lawsuit. He can file a federal lawsuit under 14 Section 1983 for violation of property rights of the US Constitution, doesn't mean they will win but they can do that. They can also file a challenge against the board's decision for going beyond the standards for what was presented. You had better have an expert witness at that hearing subject to cross examination in order to rely on expert witnesses. When it comes to the City Council you are limited as to what you can look at. He used to see this all the time in Lake County and when they lost the case was when they were subject to their own opinions and go beyond what was presented at the Public Hearing. Whatever happens at the City Council is debate it is not fact and you have to look at the facts. He stated right now there is a \$5.3 million dollar lawsuit against McHenry County in Federal Court in Rockford about a similar case in which a religious society was denied a special use

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permit and that case is still pending. It doesn't mean you are going to lose but it does mean you are going to spend money defending the lawsuit.

Mayor Gitz stated if the council is uneasy about the record of the Planning Commission they can send it back in order for the Planning Commission to clarify issues on this particular application and asked what motion they would need to make and the direction for the Planning Commission.

Attorney Phillips stated the motion would be to refer it back to the Planning Commission for further proceedings and to send the transcript with specific action in accordance with the issues.

Aldersperson Koester stated that denying it is not the way we want to go, we have to look at zoning first and use that to restrict the amount of businesses in the area would be something we can do that would be more legitimate.

Aldersperson Klemm asked if they send it back to the Planning Commission would they need to resend out the letters or would there just be a normal quorum of the Planning Commission to hear the testimony. Attorney Phillips stated it would depend on whether there was additional testimony to be presented at the time as to whether they would need to notify people again or if they are just going to send it back for them to clarify the findings of fact.

Aldersperson Chesney stated it was just posed as a question and he is not sure they are going to learn anything more if we send it back because there is not a whole lot around there. It is just a question to my colleagues is that the first sight that you want people to see coming into the City of Freeport. He is reluctant and we are not short on liquor stores and we have been very favorable to the liquor community. In the past we have approved these without thinking the long term ramifications. He will point you to that corridor and there are other interests there that do not look as nice.

Aldersperson Miller stated she does not see our position is to be personal with it and everyone has their own convictions but the greater picture is how we view small businesses and the last thing she wants is for someone to not come in and then they bad mouth Freeport. We need to be careful about that.

Aldersperson McClanathan referred to the comments from Attorney Phillips under the parameters that you set what are generally safe grounds or are there any restrictions that the council can have on the granting or denying of a special use permit.

Attorney Phillips stated the council has in the ordinance requirements that have to be shown before granting a special use permit under 1242.07 subparagraph (b) Standards for Granting Special Permits. The Administrative Agency shall not recommend nor the City Council grant a special permit in a particular zoning district or districts unless it shall make findings based upon the evidence presented to it in each specific case that:

- (1) The establishment, maintenance or operation of the special use will not be detrimental to, or endanger the public health, safety and general welfare;
- (2) The special use will not be injurious to the use and enjoyment of other property in the immediate area for the purpose already permitted, nor substantially diminish and impair property values within the neighborhood (he noted there had to be an expert testifying to this at the hearing and if you said you are an expert in real estate values and they would have to say that this proposed would cause property values to lower than they are now and you can say that with reasonable certainty) and
- (3) The establishment of the special use will not impede the normal and orderly development and improvement of the adjacent property for uses permitted in the district.

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Attorney Phillips stated that has to be based on what they heard before the Administrative body. He stated you cannot go beyond the standards. We talk about the LaSalle factors and those normally apply in zoning for the classification of property. He stated that is a rezoning issue for the surrounding property for its use. He stated in this issue you passed an ordinance that set three standards that have to be met in order to say no to a special use permit.

Aldersperson McClanathan not having that ordinance but he does have the Planning Commission notes, a special use permit shall be granted but for evidence pertaining to one of those three factors.

Attorney Phillips stated if you are going to deny and you are trying to avoid litigation you have to show in that section (b) 1), 2) or 3) how that would prevent them from having it.

Aldersperson McClanathan the only evidence that was heard they did not ask them for that so he does not see how there would be any evidence to the contrary unless the guy is going to come in an torpedo his own application. He stated if we are willing to look at this further we do not have sufficient record from the Planning Commission unless the Planning Commission desires to look at those factors we do not have much of record to go by.

Aldersperson Brashaw stated I would like to call the question.

Mayor Gitz stated are there any questions or comments in regard to this.

Aldersperson Ross asked how many businesses there are in the area that sell liquor. Mayor Gitz stated across the street is a gas station. Aldersperson Koester stated Walgreens sells liquor as well. Mayor Gitz clarified that across the street is a gas station and further to the south is Walgreens and they both sell alcoholic liquor.

Aldersperson Koester stated point of order. According to Roberts Rules of Order once the question has been called isn't it appropriate to call the question.

Aldersperson Chesney stated that requires a two thirds vote on the council on the discussion.

Mayor Gitz stated when the question is called it usually means we are intent on closing the debate unless there are new points to be made.

Aldersperson Klemm stated there are new points to be made.

Mayor Gitz asked if there is anything that has not been discussed that the council wants to bring up.

Aldersperson Klemm stated we have voted different things down before that the Planning Commission approved. There is one real obstacle that he wants to ask the Chief of Police about. We have three roads running into this place or two and one half roads what is that going to do to the traffic up there and I am not sure about the name of that street the road that goes to the back of the Oasis down there.

Chief of Police stated Railroad.

Mayor Gitz asked Director Mills whether traffic ingress-egress was discussed at the Planning Commission level. Director Mills stated no. Mayor Gitz stated to proceed Alderman Klemm it is not a good idea.

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Aldersperson McClanathan asked based on your professional experience based on the limited evidentiary hearing held at the Planning Commission do you believe if challenged there are sufficient grounds to defend the position for denial of the permit.

Attorney Phillips stated it would be a difficult case to defend if it was challenged. The findings of fact of this case are very sparse. It is supposed to be what they heard at the hearing and exactly why it did make it or did not make it. If you look at Exhibit A, number one, it could be flushed out significantly. But they chose not to do it. Whatever you decide to do we will defend it if it gets challenged. Let's be honest the judges in Stephenson County do not hear these which are run of the mill in Lake and McHenry County because the land is so valuable there is an incentive to bring it to court should it be turned down and there is not as much of that here in Stephenson County.

Aldersperson McClanathan made a motion to refer the ordinance back to the Planning Commission for further evidentiary hearing to flush out issues, seconded by Aldersperson Chesney.

Motion prevailed by a roll call vote of;

Yeas: Klemm, McClanathan, Ross, Miller, Busker, Brashaw, and Chesney (7)

Nays: Koester (1)

RESOLUTIONS

RESOLUTION R-2016-35:

Resolution To Approve an Intergovernmental Agreement Between the City of Freeport, Illinois and the Freeport Park District for Street Improvements to Park Lane Drive

City Engineer Shaun Gallagher presented the resolution and stated this is a resolution to approve an agreement between the City of Freeport and the Freeport Park Districts for street improvements for milling and paving sections of Park Lane Drive between Burchard Avenue and West Avenue. He stated the Park District did approve this intergovernmental agreement in their June meeting. Their portion of the project amounts to \$29,442.62. The bid opening was held on Tuesday and the bids are in the department head reports of this council agenda for approval. City Engineer Gallagher stated he will do the inspections so he left that number at 6%. He will likely do inspections with the help of interns. In an effort to reduce costs by bidding a larger project, approximately \$29,442.62 of the bid amount will be covered by a pending intergovernmental agreement with the Freeport Park District for improvements to Park Lane Drive. This is a project that was combined in order to obtain better bidding for the Park District and for them to be able to utilize the services of the City Engineer instead of paying out for it.

Aldersperson Koester moved for approval of Resolution R-2016-35 as presented, seconded by Aldersperson Busker.

Aldersperson Brashaw asked if Attorney Phillips had a chance to review it. Attorney Phillips stated the version placed in the council packet was the one he reviewed and had ready for the packet. Attorney Phillips stated that it is in final form other than the date which will be completed when it is signed by the mayor.

Motion prevailed by a roll call vote of;

Yeas: Klemm, McClanathan, Ross, Miller, Busker, Brashaw, Koester and Chesney (8)

Nays: none

Resolution R-2016-35 was adopted.

The item 12 for **Resolution #R-2016-36: Resolution To Authorize Consultant Services At Albertus Airport For Architectural/Engineering, Planning And Special Services For Rehabilitation Of Runway 6/24** was moved forward on the council agenda (*see page 7 of minutes*).

**MINUTES -- REGULAR MEETING
MONDAY, JUNE 20, 2016 at 6:00 P.M.**

Item 13 - **Resolution R-2016-37: Resolution To Approve Memorandum of Understanding For The Small Business Collaborative of Freeport and Stephenson County** was moved forward on the council agenda (*see page 3 of minutes*).

Item 14 - **Resolution R-2016-38: Resolution To Approve the Use of Tax Increment From The Downtown Redevelopment Project Area For The Schematic Design of a Civic Plaza In the Freeport Art Museum In the Downtown Freeport** was moved forward on the council agenda (*see page 7 of minutes*).

OTHER

REPORTS OF DEPARTMENT HEADS

City Engineer

Acceptance of Bid for Floating Boat Dock and Canoe/Kayak Launch as submitted by Team REIL, Inc. in the amount of \$55,718.87

On July 29, 2015, the City of Freeport held a bid opening for the Floating Boat Dock and Canoe/Kayak Launch, which is to be installed at the existing boat launch at Tutty's Crossing. The four (4) bids received were submitted by Dock Hardware & Marine Fabrication, Winter Construction, Stenstrom Excavating & Blacktop Group, and Team REIL, Inc. The apparent low bid was submitted by Team REIL, Inc. in the amount of \$55,718.87, which is below the remaining funds within the Boat Area Access Development (BAAD) grant. City Engineer Shaun Gallagher stated in August 2015, it was presented that the State of Illinois froze spending within the Boat Access Area Development (BAAD) grant program earlier that year, pending the passage of a State budget. Although grant funds were frozen, the project was bid assuming the State budget issues would resolve themselves prior to fall and that the project could still be awarded with construction in late 2015. Since that time, no budget has been approved and the grant remains frozen. At that time, it was indicated by the Illinois Department of Natural Resources (IDNR) that projects that were awarded and constructed under the freeze would not be eligible for future grant funds. It has now been indicated by IDNR, that should a budget be passed and the grant funds be released, projects that follow the grant requirements may still be eligible for reimbursement.

City Engineer Gallagher explained since we have followed the grant requirements during each phase of the project, he does not fear that our project would be ineligible but he does fear that the grant would be canceled in its entirety. This past fall Council approved to borrow money for the Carnegie renovation, Old City Hall renovation, and the Newell Parking Lot project. As indicated previously, the Newell project is on hold until further approval after their company merger. Given that the City has borrowed \$200,000 in advance of the project, which will not begin construction until June of 2017 or later, the funds could be available to front the expense of the boat dock while waiting for the State budget issues to resolve after the November elections. It is understood that this scenario could result in additional expenses to the City if we proceed and the grant is canceled; however leaving borrowed money in the bank for the next year while existing projects remain unfunded is also not preferred.

City Engineer Gallagher stated at this time it is his recommendation to award this contract to Team REIL, Inc. of Union, Illinois as the low bidder in the amount of \$55,718.87 for all materials and installation. He provided a copy of the final bid tab in the council packet. Additional accessories were also bid with the project to maximize the value of the grant. It should also be noted that the light pole at the boat launch was purchased under the BAAD grant prior to the State freeze, which was installed under the Jane Addams Trail project with the rest of the lighting at Tutty's Crossing.

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Discussion was held on for the boat dock delays with council giving their disappointment to the City Engineer and Mayor Gitz. Concerns were provided asking why there was not an agreement with Newell to move forward with their project when the funds were borrowed to cover the project.

Aldersperson Koester moved for approval the bid, seconded by Aldersperson Miller.

Motion prevailed by a roll call vote of;

Yeas: Klemm, McClanathan, Ross, Miller, Busker, Brashaw, and Koester (7)

Nays: Chesney (1)

Acceptance of Bid for Mill & Overlay Program as submitted by Martin & Company Excavating in the amount of \$437,908.18

On June 7, 2016, the City of Freeport held a bid opening for this year's Mill and Overlay Program. The two (2) bids received were submitted by Martin & Company Excavating and Civil Constructors, Inc. The apparent low bid was submitted by Martin & Company Excavating in the amount of \$437,908.18. In an effort to reduce costs by bidding a larger project, approximately \$29,442.62 of the bid amount will be covered by a pending intergovernmental agreement with the Freeport Park District. The following was noted by the Illinois Department of Transportation (IDOT) prior to bidding: Due to the possibility of a bid complaint for your agency's project, as it relates to the "Apprentice or Training Program Certification," the department will not concur with the award of any contract until the eight calendar day following the letting; therefore, the local authority shall not proceed with the award for eight (8) calendar days. Based on this low bid, it is my recommendation to award contract 16-00000-01-GM to Martin & Company Excavating of Oregon, IL for \$437,908.18, barring any bid protest in the eight (8) calendar days following the bid opening, as allowed by IDOT.

City Engineer Gallagher provided a listing of streets for this project including; Park Lane Drive for the Park District, Mosely Avenue from West Avenue to Locust Avenue, Illinois Avenue from Fruit to the dead end on Wyandotte, and Empire Street at the section of Aquin High School. From the bonding they will also be working on Carthage Drive, Knox Drive, Platteville Court which were in the Phase B project contract due to water main replacement.

Aldersperson Klemm moved for approval the bid for Martin & Company Excavating in the amount of \$437,908.18, seconded by Aldersperson Koester.

Aldersperson McClanathan asked if the money from the bonding will be reimbursed from funding next year. City Engineer Gallagher stated that is correct he reprogrammed his previously submitted program to accommodate whatever we spend on those because every year we complete it and he gives a dollar for dollar breakout of everything that goes in so that exact dollar will be accounted for through MFT funds or any other funds. City Engineer Gallagher explained the cost savings for combining projects with the Park District which included the ADA ramps that the Park District maintains. This was a cost savings to the Park District of about \$45,000 by bidding with us. City Engineer Gallagher has reached out to other taxing bodies to combine projects. There continues to be a duplication of efforts or agencies that do not have the expertise on staff to bid these projects. For the Mill and Overlay project the Park District probably saved \$5,000 and it took him about 1.5 hours of the City Engineer's time to add it into the project specifications.

The motion for acceptance of the bid for Martin & Company Excavating in the amount of \$437,908.18 prevailed by a roll call vote of;

Yeas: Klemm, McClanathan, Ross, Miller, Busker, Brashaw, Koester and Chesney (8)

Nays: none

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314 W Stephenson (Carnegie Building)

314 W Stephenson (Carnegie Building) [Budget Plan Amendment](#) [Progress Report](#)

City Engineer Shaun Gallagher introduced Scott Winter of Winter Constructions as the project managers of the rehabilitation of the building located at 314 W. Stephenson to house the City Hall staff offices. They presented a document dated June 16, 2016. It included a Budget Plan Amendment and a Progress Report.

The following is an excerpt of the **City Hall – Carnegie Library Renovation Budget Update and Progress Report Work Summary:**

- 1) Since 3/30/16 - Plans completed and sent out for bids. Minor scoping and layout changes have been reviewed with building team and incorporated into project
- 2) Structural Assessment of Building Completed
- 3) Approval received from Illinois Historic Preservation Agency
- 4) Ready to begin Demolition immediately upon Budget Approval

Budget Summary:

- 1) Bid Work:
 - a. Bids were received on June 7th for 9 Bid Packages. Summary of Bid Work is attached. Some bids were under budget, some over; amounting to a slight cost savings.
 - b. 71% of overall project is being completed by businesses owned and operated in Freeport.
- 2) Overall Construction Budget: \$2,150,000
 - a. Detail Breakdown as presented previously on March 30th is attached.
- 3) Additional Work not included but recommended by Building Team: \$62,400-98,400
 - a. Security System \$25-50,000
 - i. Exterior & Interior Cameras
 - ii. Electronic Door Access/ Card Swipe
 - b. Break Room Cabinetry \$6,400
 - c. Exterior Lighting - Building Accent, Flag Pole, Statues \$15-20,000
 - d. Monument Signage on Stephenson St. \$10-12,000
 - e. Refinish Council Chamber Furniture \$8-10,000
- 4) Deferred Work, not included: \$ 137,464
 - a. Exterior Storm Windows \$24,964
 - b. Complete Exterior Masonry Tuck pointing \$110,000
 - c. Replace 2nd Floor Louver with window \$2,500

BIDDING REPORT

Date: 6/16/2016

	Bid	Budget	Difference	
Interior Masonry	\$ 42,850.00	\$ 38,000.00	\$ 4,850.00	Diamond Masonry
Doors & Hardware				
Front Door	\$ 8,255.00	\$ 7,500.00	\$ 755.00	Marvin Windows & Door
Interior	\$ 51,430.00	\$ 48,420.00	\$ 3,010.00	Security Builders
Auto Openers	\$ 7,168.00	\$ 14,044.00	\$ (6,876.00)	Tee-Jay Service
Painting	\$ 92,924.00	\$ 100,106.00	\$ (7,182.00)	Midwest Painting
Additional Painting	\$ 1,500.00	\$ -	\$ 1,500.00	
Flooring				
Ceramic	\$ 8,040.00	\$ 11,056.00	\$ (3,016.00)	Rockford Central Tile
Ceramic-WCI	\$ 4,180.00	\$ 4,180.00	\$ -	
Resilient	\$ 52,500.00	\$ 58,506.00	\$ (6,006.00)	Carpetland USA
Underlayment/Prep -WCI	\$ 45,980.00	\$ 11,400.00	\$ 34,580.00	
Ceilings	\$ 29,400.00	\$ 34,679.00	\$ (5,279.00)	Austad & Sons
Drywall	\$ 114,400.00	\$ 139,181.00	\$ (24,781.00)	Rockwell Group
Plaster	\$ 12,600.00	\$ 21,000.00	\$ (8,400.00)	Executive Plaster
Fire Suppression	\$ 70,250.00	\$ 72,000.00	\$ (1,750.00)	Absolute Fire
Elevator	\$ 79,000.00	\$ 65,000.00	\$ 14,000.00	Schindler
Totals	\$ 620,477.00	\$ 625,072.00	\$ (4,595.00)	

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City Engineer Gallagher explained that the plans were completed and submitted out for bids with a few minor changes to the layout; the structural inspections have been completed they brought in engineering to verify a few things and most were favorable and they received approval to move forward with the project from the Historic Preservation Agency the State which was provided in a council packet; and now they are at the stage ready to begin demolition immediately upon budget approval. City Engineer Gallagher explained there is an itemized project list including Base Budget, Add Items, Defer 1-3 years Items, and additional costs to City.

Base Budget – \$2,150,497.42
Add Items – \$136,563.35
Defer 1-3 years Items – \$192,200
City – \$48,045
Owner provided items – Furniture, Cubicles, IT Cable Internet, Setup

City Engineer Gallagher stated his original estimates on the project was \$3.2 million dollars and we have brought it back to the council's budget as close as they could get. The itemized cost breakdown was provided in the council packet. The lowest amount they could bring the budget in at was \$2.15 million. To scale it back to \$2.0 million they would be missing pieces of the project and they recommend \$2.15 million at this time as the budget. City Engineer Gallagher stated there are four items that they would like to include in the project and those include:

- 3) Additional Work not included but recommended by Building Team: \$62,400-98,400
 - a. Security System \$25-50,000
 - i. Exterior & Interior Cameras
 - ii. Electronic Door Access/ Card Swipe
 - b. Break Room Cabinetry \$6,400
 - c. Exterior Lighting - Building Accent, Flag Pole, Statues \$15-20,000
 - d. Monument Signage on Stephenson St. \$10-12,000
 - e. Refinish Council Chamber Furniture \$8-10,000

City Engineer Gallagher recommended approving the budget of \$2.15 million with a contingency for the extras stated above.

City Engineer Gallagher reviewed the deferred work which he explained do not need to be completed now but do need to be done on the building:

- 4) Deferred Work, not included: \$ 137,464
 - a. Exterior Storm Windows \$24,964
 - b. Complete Exterior Masonry Tuck pointing \$110,000
 - c. Replace 2nd Floor Louver with window \$2,500

He stated he would work these into a maintenance plan that over one-two years would knock these things out. He noted there is also a dollar amount need to do the repairs at the old City Hall building and if they did the tuck point job at the old City Hall that would be the time to do it at the Carnegie. City Engineer Gallagher stated the bonding dollars allocated is \$2.33 million and that could go toward the first five things on the list marked as additional work. He understands money is tight and we can certainly nix that.

Aldersperson Klemm stated he reviewed the plans and consider it a great value by Winter Construction. He stated there are three to four things as to whether we need cameras and security. The first thing is to give the go ahead to move forward and perhaps we can look for additions for lighting and so on. Aldersperson Klemm stated he will move it forward at any time but maybe there are questions by the council.

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Discussion was held as to whether it was necessary to paint the council furniture in a grey-tone to match the interior or leaving it wood as a cost savings. Alderperson Brashaw stated for \$10,000 she does not think we need to paint this furniture and it is beautiful as it is. She recommended fixing the spindles. She recommended taking out the \$10,000 for the painting of the furniture.

Alderperson Koester recommended reaching out to people in the community for fixing the desks or working on donations because we have a tight budget as it is.

Scott Winter spoke about these items as being suggested and this is meant for dialogue. City Engineer Gallagher recommended putting the furniture for the council in as it is and see if you want it painted once it is in the building.

Alderperson McClanathan requested information on the dollars for the bonding because he heard an amount of \$2.33 million once we account for the boat dock and the mill and overlay. He asked for an accounting. City Engineer Gallagher stated with \$50,000 additional on this project you will be left with \$120,000 still unaccounted for waiting for the Newell project. Alderperson McClanathan stated with the \$50,000 you are looking at times three and four and the list and the deferred work on four. He asked if they are looking for any guidance on the deferred work. City Engineer Gallagher stated those are a couple of things that do not necessarily have to be done at this time and they are things we will come back to the council on. This building will have a maintenance plan with it because we don't need to get where we ended up. He anticipates before every budget we will submit to you a plan and list of items that need to be attended to along with other City buildings.

Alderperson McClanathan confirmed the amount is about \$50,000 for now and leave it to the judgement and technical expertise to decide which and how. Alderperson Chesney stated he is confused as to what you are approving. Alderperson McClanathan stated he is comfortable with \$50,000. City Engineer Gallagher stated that amount is correct to cover to the best of their ability to maximize the items A through E and obviously the council is not interest in painting furniture now and that is certainly something they can exclude or leave it as a place holder and maximize \$40,000, either way it is your call.

Mayor Gitz asked what is the motion that we need to move forward tonight.

City Engineer Gallagher stated the motion would be to approve the overall budget which would be the base budget in the amount of \$2,150,497.42, and the additional question is the threshold dollar amount for the recommendation of adding in \$50,000 to add to that which would be \$2,200,497.42 to include as much of the security system, electrical, cabinetry, lighting, signage at this time.

Mayor Gitz confirmed with Alderperson McClanathan that he motions to approve the base budget amount with the addition of \$50,000. He asked if that is in the form of a motion

Alderperson McClanathan made a motion to accept the base budget plan totaling \$2,150,497.42 with the addition of \$50,000 for additional work not included in the bid, seconded by Alderperson Klemm.

Mayor Gitz asked if there are other question.

Alderperson Miller asked about the \$25,000 for storm windows and asked if that would lessen the cost for window repair work. Scott Winter stated that is completely stand alone.

Alderperson Ross asked about glass repair in the window. He stated he would be willing to discuss donating glass for the four basement windows and the small panes.

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Aldersperson Koester asked if they increased the budget to \$2.2 million there would be \$120,000 left. He asked if there is money still in the budget to do repairs on the old City Hall building. City Engineer Gallagher there is still an amount of \$75,000 with another \$75,000 in contingency. So basically you would be taking \$50,000 of that \$75,000 in contingency for this project. Aldersperson Koester stated we need to be careful because we are not going to get that money back and we need to keep that in mind.

Aldersperson Brashaw spoke about ways to save money and noted that not placing a storm window over the windows it can ruin the paint and caulking that is done. She noted there will be heat savings by using storm windows. City Engineer Gallagher noted that putting the storm windows on would be a benefit and noted that having an energy efficient building would be an advantage. Scott Winter recommended the tuck pointing to happen in the next two years. He noted the painting of the windows is extremely labor intensive and involves lead based paint which needs to be done professionally.

Aldersperson Klemm noted that the painting of the windows was incorporated into the cost and it was kept at the \$2.15 base bid.

Mayor Gitz requested a roll call vote on the motion to accept the base budget plan totaling \$2,150,497.42 with the addition of \$50,000 for additional work on items A through E. Motion prevailed by a roll call vote of;
Yeas: Klemm, McClanathan, Ross, Miller, Busker, Brashaw, Koester and Chesney (8)
Nays: none

Fire and Police Bids for Roof on Stations

Battalion Chief Blackburn presented bids for a new membrane roof at Fire Station 1, 904 S. Park Blvd and Chief Barkalow presented an alternative bid for roofing work at the Freeport Police Department, 320 W. Exchange Street, Freeport IL. Mayor Gitz noted the bid opening was held on June 20, 2016 at 10:30 am. On Monday, June 20th at 10:30 A.M., sealed bids for the Fire Station 1 roof replacement and Freeport Police Department roof replacement project were publicly opened at City Hall. Present at the bid opening were Mayor Gitz, Representatives from the Finance, Legal, Fire Department and Police Department.

Two (2) sealed bids were received for the roof replacement at Fire Station 1 Roof as follows. Both bids were compliant with the bid specifications and provided three (3) references as required.

- Freeport Industrial Roofing – Freeport, IL - the bid amount for the fire station roof was \$39,900.00. Upgrade to 20 year warranty is available for \$2,250.00. Total bid (includes upgrade 20 year warranty) - \$42,150.00
- MetalMaster Roofmaster – McHenry, IL - The bid amount for the Fire Station roof was \$72,337.00. Total bid - \$72,337.00

Battalion Chief Blackburn requested the acceptance of the bid received from Freeport Industrial Roofing in the amount of \$39,900.00, and the upgrade 20 year extended warranty in the amount of \$2,250.00. Total Bid amount \$42,150.00.

Also provided in the council packet were the following Police Department Roof Bids:

- Bid from Freeport Industrial Roofing, Inc. - The bid amount for the Police Department roof was \$47,500.00. Upgrade to 20 year warranty: \$2,250.00. Total bid (includes 20 year upgrade warranty) - \$49,750.00
- Bid from Metalmaster Roofmaster, Inc. - The bid amount for the Police Department roof was \$122,495.00. Total bid - \$122,495.00

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Chief Barkalow requested the acceptance of the bid received from Freeport Industrial Roofing in the amount of \$47,500.00, and the upgrade 20 year extended warranty in the amount of \$2,250.00. Total Bid amount \$49,750.00.

Aldersperson Koester moved for acceptance of the roof bids from Freeport Industrial Roofing with the extended warranty, seconded by Aldersperson Ross. Motion prevailed by a roll call vote of;
Yeas: Klemm, McClanathan, Ross, Miller, Busker, Brashaw, Koester and Chesney (8)
Nays: none

City Engineer

City Engineer Gallagher provided an update on the re-seeding on projects on Harlem. They are beginning water main replacement on Park Crest Drive to Haven Court tomorrow. The project on Empire Street is progressing and they are trying to run the street sweeper each night to cut down on the dust in the area. They will work on seeding Monroe Drive and Jefferson. They are working to complete curb and gutter on Empire Court and water service on Carriage Hill. Next week they begin the micro-surfacing project. The crack sealing will be done next week.

Aldersperson Chesney asked about the money owed to the City by Stephenson County. It was noted that the City received a check for \$27,000 so the outstanding balance owed by the County is \$55,000 and City Engineer expects to receive that in sooner than later.

Water

Director Glendenning described their procedures for the Water Quality Report that was provided in tonight's council packet. They are scrutinized by the Illinois Environmental Protection Agency and sampled regularly. They placed the water quality report on the website. He noted the City water is typically well below the percentages for parts per million. These reports have been placed on the IEPA website for the last twenty years. Director Glendenning explained what the Water and Sewer Commission is doing to be pro-active in lead testing for schools and day-care centers. They will be testing 108 locations to create a baseline. They are also working on flushing hydrants over the 138 miles across the City.

It was noted by Aldersperson Klemm that Director Glendenning was awarded the "Operations Manager of the Year" in the State of Illinois. This was awarded by the Illinois Environmental Protection Agency and the council members and staff applauded Director Glendenning for being the recipient of this prestigious award.

Police

Chief of Police Barkalow stated on June 23 he will attend the graduation ceremony for two new officers. On June 29, 2016 the Conversations Over Pizza will be hosted at the Hosmer, 601 S. Walnut. Chief Barkalow explained a drug arrest netting the seizure of 24 pounds of cannabis.

Fire

Battalion Chief Blackburn explained that the call volume has risen recently and more of the calls have been ambulance.

Public Works

Public Works Director Tom Dole provided a written report and had no further information.

Community Development

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Director Mills stated he is planning a Building Commission meeting to be held on July 13, 2016. They have determined that Wednesdays are the best day to meet and it will be the 2nd or 3rd Wednesday. They will review permits and fees. He will be asking the Building Commission to address building fees to simplify the process.

Finance

Finance Director Guary Bernadelle was present and had no further report.

Library

Director Dickerson was present and had no report.

MAYOR'S REPORT

Mayor Gitz stated that he has scheduled Fire Union mediation this week. He has hired special counsel for the mediation. He will communicate to council regarding a couple of building concerns. Mayor Gitz spoke about the dollar amounts the City has been able to save because of the in-house inspections on projects now being performed by City Engineer Gallagher and his summer interns. He spoke about his time being a matter of priority and not that he did not get to the boat launch but instead it was because we had a project with contingent grant dollars that took precedent over that project to complete the Jane Addams Trail and Route 75 road improvements. There were choices that needed to be made as to how he spent his time and effort.

COUNCIL ANNOUNCEMENTS/NEW BUSINESS

Aldersperson Klemm spoke about the Neighborhood Watch meeting he attended for the third ward. Aldersperson Klemm spoke about the noise ordinance and the issue of persons driving while on cell phones. Chief Barkalow stated they pull over drivers and people are now calling them in to turn it into the police.

Aldersperson Miller wished Pastor Dixie a happy birthday and noted it was a great way to spend her birthday with us here tonight.

Aldersperson Busker reported there will be a Neighborhood Watch for the 5th Ward on June 21, 2016 at the First Church of the Nazarene. There will be an amateur radio group on Flagstaff Hill on Sunday and they receive extra credit if elected officials show up. Aldersperson Busker requested information on drive by shooting reported on the internet. Chief Barkalow stated they continue to follow up on each call but some of the reported cases can be a car back-firing because there is no proof to be found when they investigate.

Aldersperson Brashaw thanked Alderman Klemm for the signage on the bike path at the college.

Aldersperson Koester provided information on the July 3rd Sky Concert. He stated so far they have raised \$10,500 and they are following up on their contacts. They have received very generous donations and will be accepting donations through the Fireworks by having Fire Department personnel accepting donations.

Aldersperson Chesney spoke about wage stagnation, working to get properties off the books once the budget is passed, and how the City should be business friendly. He stated we should look for ways to increase the tax base.

PUBLIC COMMENTS – AGENDA OR NON-AGENDA ITEMS

Dan Misk, Evelyn Street, Freeport Illinois thanked the council for their discussion in a positive manner. He spoke about the difficulty of working through a budget and suggested it works best to have a face to face discussion. He understands there are constraints on conversations that are held on email but that is another method that can be used.

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City Clerk Zuravel read aloud a letter written by Dick Dale, 3491 Field Crest Court, Beloit WI to Mayor Gitz in support of the boat dock. He stated it will make Freeport one of the most "paddler-friendly" cities in the area. Combined with the developed hiking/biking trails, Freeport is becoming an outdoor enthusiast's destination. If he were a Freeport taxpayer, he would be pushing for public campgrounds next (maybe in Taylor Park).

Upon a motion duly made and seconded, the meeting was adjourned at 9:50 PM.

s/ Meg Zuravel

Meg Zuravel
City Clerk